

IN THE UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF ARKANSAS  
FAYETTEVILLE DIVISION

JOHNNY LEE NICHOLS

PLAINTIFF

v.

No. 03-5292

SHERIFF STEVE WHITMILL, et al.

DEFENDANTS

**ORDER**

Now on this 23d day of December 2005, comes on for consideration the report and recommendation filed herein on November 16, 2005, by the Honorable Beverly Stites Jones, United States Magistrate Judge for the Western District of Arkansas. (Doc. 41.) Plaintiff has not filed any objections to the report and recommendation.

The court has reviewed this case and, being well and sufficiently advised, finds as follows: The report and recommendation is proper and should be and hereby is adopted in its entirety. Accordingly, the defendants' **Motion for Summary Judgment (Doc. 30)** is **GRANTED** and this case is **DISMISSED WITH PREJUDICE**.

IT IS SO ORDERED.

/S/JIMM LARRY HENDREN  
JIMM LARRY HENDREN  
UNITED STATES DISTRICT JUDGE